

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

December 7, 1978
9:00 A.M.

Council Chambers
301 West Second Street

The meeting was called to order with Mayor McClellan presiding.

Roll Call:

Present: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Absent: None

INVOCATION

Reverend Raymond Kiser, Memorial Methodist Church, gave the Invocation.

FREE ENTERPRISE WEEK

Mayor McClellan read a proclamation designating the week of December 10-16, 1978, as Free Enterprise Week in Austin, for the DECA Chapters of Distributive Education of the Austin area's High Schools. MR. XAVIER SOSA accepted the proclamation and thanked Council.

HUSTON-TILLOTSON COLLEGE
UNITED NEGRO COLLEGE FUND WEEK

Councilmember Snell read a proclamation designating the week of December 10-16, 1978, as Huston-Tillotson College United Fund week. DR. KING and MRS. CATHY MILLER accepted the proclamation and Dr. King expressed his thanks. Councilmember Snell recognized MS. DOROTHY TURNER, who was a recipient of the NAACP Arthur B. DeWitty award.

VOLUNTEER BLOOD DONOR MONTH

Councilmember Himmelblau read a proclamation designating the month of January, as Volunteer Blood Donor Month. MR. ED SMITH accepted the proclamation and thanked the Council.

1978 WOMEN'S PLEA FOR SOVIET JEWRY DAY

Mayor McClellan read a proclamation designating December 11, 1978, as 1978 Women's Plea for Soviet Jewry Day in Austin and called on all citizens to support the abolishment of conditions that force the separation of families and denies human rights and personal freedoms. LESLIE AXELROD and JOANN HARTMAN accepted the proclamation and thanked the Council.

ACQUISITION OF LAND

Councilmember Mullen moved that the Council postpone until December 14, 1978, consideration for authorizing the acquisition of certain land for the Stassney Lane, Phase 2, Project. CAPITAL IMPROVEMENTS PROGRAM No. 73/62-30. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

EASEMENT RELEASE

Councilmember Mullen moved that the Council adopt a resolution authorizing the release of the following Easement:

A five (5.00) foot Public Utility Easement and two portions of a Drainage Easement out of Lot 2A Resubdivision of part of Lot 12, Live Oak Grove Addition, recorded in Book 21, Page 47, Plat Records of Travis County, Texas. (Requested by the City of Austin, Construction Management Department)

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

PAYMENT AUTHORIZATION

Councilmember Mullen moved that the Council adopt a resolution to authorize payment to the following:

JAGGER ASSOCIATES, INC. - The cost difference of 12"/8" water main installed to serve Village South, Phase 3, Section 2 - \$17,466.75.

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

CONTRACT APPROVAL

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

<p>SPEIR & MYERS UTILITY CONSTRUCTION COMPANY 6901 North Lamar Boulevard Suite 118 Austin, Texas</p>	<p>- CAPITAL IMPROVEMENTS PROGRAM - Williamson Creek Wastewater Treatment Plant Interim Diversion Facilities, Phase II - \$260,603.25 C.I.P. No. 73/59-07</p>
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

<p>ISCO 4700 Superior Street Lincoln, Nebraska</p>	<p>- Composite Wastewater Sampler, Water & Wastewater Utility. Item 1 - \$6,650.00</p>
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

<p>B&B LAND CLEARING COMPANY, INC. 8011 East Riverside Drive Austin, Texas</p>	<p>- CAPITAL IMPROVEMENTS PROGRAM - Construction of electric conduit system and streetlight foundations for Wagon Crossing, Section 3A, and Sunridge South - \$25,375.50 C.I.P. Nos. 75/30-01 and 75/36-01</p>
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

H. L. CHAPMAN PIPELINE CONSTRUCTION 16604 North IH 35 Round Rock, Texas	- CAPITAL IMPROVEMENTS PROGRAM - Construction of an electric ductline on East 18th Street and San Jacinto Street - \$78,400.00. CIP. No. 75/30-02
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

A & B REFLECTORIZING 1250 E. Ontario Boulevard Ontario, California	- Traffic Cones, Department of Purchases and Stores Twelve Month Supply Agreement Item 1 - estimated \$11,820.00
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

Councilmember Mullen moved that the Council adopt a resolution approving the following contract:

BRIGG-WEAVER 7740 Ed Bluestein Austin, Texas	- Gate valves, Power Production Division of Electric Department. Item 1-3 - \$8,499.58
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The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

CONTRACTS POSTPONED

Councilmember Mullen moved that the Council POSTPONE until December 14, 1978, the following contracts:

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| Bid Award: | - Tires and Tubes, Vehicle and Equipment Services Department |
| B. F. GOODRICH COMPANY
116 Congress Avenue
Austin, Texas | - Items 1-35, 38-82, 91-96, 99 and 100, 163-169, 173-188 - \$99,964.02 |
| GOODYEAR SERVICE STORE
101 Congress Avenue
Austin, Texas | - Items 104-160, 161 and 162, 189-222 - \$37,262.67 |
| WALKER TIRE COMPANY
7107 North Lamar Boulevard
Austin, Texas | - Items 83-90, 97 and 98 - \$31,667.80 |
| YOUNGBLOOD GENERAL TIRE, INC.
506 North Lamar Boulevard
Austin, Texas | - Items 101-103, 170-172 - \$4,653.72 |

The motion, seconded by Councilmember Himmelblau, carried by the following vote:

- Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

PROFESSIONAL MANAGEMENT SERVICES CONTRACT RENEWAL

Councilmember Mullen moved that the Council adopt a resolution to renew with modification a three (3) year professional management services contract with American Transit Corporation to manage the Austin Transit System. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

- Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

SENIOR LUNCHEON PROJECT

Councilmember Mullen moved that the Council adopt a resolution authorizing acceptance of the sixth year contract renewal for the Austin/Travis County Senior Luncheon Project in the amount of \$297,960.00. (City's share \$38,479 - February 1, 1979 through January 31, 1980) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

- Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

CULTURAL RESOURCES CONTRACT

Councilmember Mullen moved that the Council adopt a resolution authorizing entering into a contract with the Center for Cultural Resources to carry out the City Spirit Project in the amount of \$16,030.00. (December 1, 1978 through September 30, 1979) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

CAPCO APPLICATION RENEWAL

Councilmember Mullen moved that the Council adopt a resolution authorizing submission of a renewal application to Capital Area Planning Council Area Agency on Aging, for Title III Older American Act funds in the amount of \$39,933. (Total budget: \$43,926.00; City's share \$3,993.00 - March 1, 1979 through February 28, 1980) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

CENTRAL TEXAS MEDICAL FOUNDATION CONTRACT

Councilmember Mullen moved that the Council adopt a resolution authorizing continuation of the contract with Central Texas Medical Foundation for Medical Direction of the Emergency Medical Services Department for one (1) year (\$49,469). The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

AUSTIN LANDMARK SEAL APPROVAL

Councilmember Mullen moved that the Council adopt a resolution to approve the Austin Landmark Seal for historically-zoned structures. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

Councilmember Himmelblau asked about the price difference between this one and the previous one and Mr. Dick Lillie, Director of the Planning Department, answered that the ones made out of aluminum cost \$8.00 and the other cost \$2.00 or \$3.00.

CONTRACT RENEWAL

Councilmember Mullen moved that the Council adopt a resolution authorizing the renewal of a contract between Brackenridge Hospital and the Austin Ophthalmological Society in the amount of \$20,000 to help defray the costs for medical practice related to the Society's volunteer ophthalmological services at Brackenridge. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

AMENDING THE EMERGENCY PHYSICIAN CONTRACT

Councilmember Mullen moved that the Council adopt a resolution amending the existing Emergency Physician Contract, whereby the hospital would reimburse the Emergency Physician Group on the basis of actual cash collection, in addition to a monthly fee paid for administration and supervision of the Emergency Department. (Approved by Hospital Board) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

CONTRACT EXTENSION

Councilmember Mullen moved that the Council adopt a resolution granting an extension of contract between the City of Austin for Brackenridge Hospital, and the University of Texas, Department of Speech Communication, Program in Communication Disorders. (October 1978 through September 30, 1979) The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

PUBLIC HEARING SET

Councilmember Mullen moved that the Council set a public hearing for December 21, 1978, at 7:00 p.m., to amend parts of Section 28 of the Austin City Code to increase the fees for refuse collection services provided to commercial establishments and to increase charges for disposing of solid waste at the City landfill. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

CITY OF AUSTIN - MH/MR CONTRACT

Councilmember Mullen moved that the Council adopt a resolution authorizing a contract between the City of Austin and the Austin/Travis County Mental Health/Mental Retardation to compensate Brackenridge Hospital for participation in MH/MR's 98 Red River non-medical detoxification unit. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

CETA TITLE III SKILLS CONTRACT

Councilmember Mullen moved that the Council adopt a resolution authorizing a contract for \$22,775 with Austin Community College for CETA Title III Skills Training Improvement Program (STIP) for a period beginning December 11, 1978, through April 30, 1979. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

Mayor Pro Tem Cooke asked if a legal contract had been drawn, and Jackie Williams, E.S.L. Title 3, answered yes.

PEDESTRIAN SAFETY AWARD

Mr. Joe Ternus, Director, Urban Transportation Department, gave to Mayor and Council a plaque awarded by the American Automobile Association for Pedestrian Safety.

AUSTIN TRANSIT SYSTEM FARE STRUCTURE

Mayor McClellan brought up the following ordinance for second reading:

AN ORDINANCE REPEALING ORDINANCES NO. 740314-A, NO. 740314-I, NO. 741114-I, AND NO. 760708-B ESTABLISHING THE RATES TO BE CHARGED FOR USING THE AUSTIN TRANSIT SYSTEM; PROVIDING FOR NO CHARGE FOR ZONE CHANGES; PROVIDING FOR TRANSFERS; ESTABLISHING CHARTER SERVICE FEES; ESTABLISHING CONTRACT SERVICES FEES; AND PROVIDING FOR AN EFFECTIVE DATE.

The ordinance was read the second time, and Mayor Pro Tem Cooke moved that it be passed to its third reading. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen,
Mayor McClellan
Noes: Councilmembers Goodman, Snell, Trevino

The Mayor announced that the ordinance had been passed through second reading only.

SPEED ZONES

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING SECTION 21-41, SUBSECTIONS (d) AND (g), OF THE AUSTIN CITY CODE OF 1967, MAKING CERTAIN DELETIONS AND ADDITIONS TO SAID SUBSECTIONS, THEREBY DECLARING MAXIMUM PRIMA FACIE SPEED LIMITS ON CERTAIN STREETS WITHIN SCHOOL ZONES IN THE CITY OF AUSTIN, PURSUANT TO AND IN ACCORDANCE WITH THE PROVISIONS OF THE "UNIFORM ACT REGULATING TRAFFIC ON HIGHWAYS" (VERNON'S ANN. CIV. ST., ART. 6701d), REPEALING ALL ORDINANCES IN CONFLICT WITH THIS ORDINANCE; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND DECLARING AN EMERGENCY.

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance effective immediately. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau,
Mullen, Snell, Trevino, Mayor McClellan
Noes: None

The Mayor announced that the ordinance had been finally passed.

Speed zones are as follows:

DELETING - Subsection (d)

<u>ON</u>	<u>FROM</u>	<u>TO</u>
Montopolis Drive	Hogan Avenue	Marigold Trail
Windsor Road	200 feet west of Brennen Lane	400 feet east of Sharon Lane

ADDING - Subsection (d)

Pinnacle Drive	205 feet east of Barn Swallow Drive	100 feet west of Walsh Tarlton Lane
Danwood Drive	130 feet south of Oakview Drive	129 feet north of Oak- view Drive
Prather Lane	94 feet east of Victory Drive	35 feet east of Keats Drive
Doris Drive	192 feet west of Hathaway Drive	300 feet west of Hatha- way Drive

ADDING - Subsection (g)

Ben White Boulevard	330 feet west of Pack- saddle Pass	300 feet east of Pack- saddle Pass
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COUNCIL MEETING CANCELLED

Mayor McClellan introduced the following ordinance:

AN ORDINANCE CANCELING THE REGULAR SCHEDULED CITY COUNCIL MEETING OF DECEMBER 28, 1978; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino, Mayor McClellan

Noes: None

The Mayor announced that the ordinance had been finally passed.

REAGAN TERRACE DRIVEWAYS

City Manager Dan Davidson introduced Mr. Joe Ternus, Director, Urban Transportation Department, to present a report on Reagan Terrace Driveways. Mr. Ternus said "Reagan Terrace is a relatively short street intersecting with IH 35 on the west side and extending into a residential area. Currently there is construction and development occurring on the north side of Reagan Terrace and one driveway that has been authorized. There are plans underway for development on the south side of Reagan Terrace, but no driveways are necessary at that particular location. We feel that the driveway ordinance provides us with ample opportunity to protect the neighborhood area to the west from commercial traffic in this area and so that a specific moratorium of driveway cuts on this particular street is not necessary. We think that the desires we have been trying to achieve has and can be achieved and if you have any specific questions in that area, I would be more than happy to respond." Councilmember Himmelblau told Mr. Ternus that there has been a cut where the Railroad Commission building is going, and there is another vacant lot across Reagan Terrace, but there is also access from the frontage road, and she added that she did not want to see a construction cut which would be a permanent driveway in the future for this other piece of land. Mr. Ternus said that there will not be. He said that they initially brought in a site plan that shows a driveway under Reagan Terrace and driveways onto IH 35 frontage road. Mr. Ternus went on to say that they would not approve a driveway on Reagan Terrace, so a site plan has been resubmitted, showing their driveway on IH 35 and there is no plan at the present time to put a driveway on Reagan Terrace.

MS. JEAN MATHER, President of South River City Citizens, spoke next, saying that they had made a presentation to the Urban Transportation commission back in February after the Reagan Terrace driveway had been put in on the north lot. She said that when the City was faced with legal action, they were forced to interpret the phrase "impact on traffic flow" in its narrowest sense, and said that she was amazed that Mr. Ternus feels that the driveway ordinance is strong enough to support his denying access on the south side. Ms. Mather urged that the amendment that Mr. Ternus' staff is working on be brought before Council at the earliest possible date. Councilmember Himmelblau asked Mr. Ternus how

soon the amendment to the driveway ordinance would be ready to present to the Council and Mr. Ternus said that it should be ready in about 45 days. Ms. Mather again expressed concern about the driveway cut being allowed on the northern lot, and she feels like it could happen again on the south side. Mr. Ternus assured her again that those are two separate sites with two separate conditions, and he offered to take Ms. Mather to his office to explain to her in further detail anything she did not understand.

PHARMACEUTICAL SERVICES FOR THE
MEDICAL ASSISTANCE PROGRAM

Council had before it a resolution for selection of a contractor for pharmaceutical services for the Medical Assistance Program and authorization of a contract. (TRANSCRIPT ON FILE IN CITY CLERK'S OFFICE OF THE DISCUSSION)

Motion - Died for Lack of Second

Councilmember Snell moved that the Council award the contract to P.S.I. The motion died for lack of a second.

City Manager Davidson stated "We have had some very erroneous interpretations of some of the facts and figures involved with this process and I would like Ms. Edwards, Acting Director of Public Health, to review this aspect of the problem."

Ms. Edwards presented the following report:

"On September 14, 1978, the City Council instructed the Health Department staff to seek proposals for the delivery of pharmaceutical services to the Medical Assistance Program. On October 12, after developing a request for proposal package, invitations were issued to twelve pharmacies.

"A 'Preproposal' Conference was held with the prospective proposers offering them an opportunity to review the RFP's with the Health Department and Purchases and Stores staff and to clarify any outstanding questions. From the twelve invitations issued, three proposals were received. A team of 5 individuals representing the Legal Department, the Purchases and Stores Department and the Health Department was formed to evaluate the proposals.

"Step one in the evaluation process consisted of a review of the proposals to assure that they met the minimum criteria. The basic criteria included provisions for quality control, adequate inventory and financial record systems, security systems, maintenance of patient profiles, accessible locations and hours of operation and assurance of an experienced and qualified staff. All of the proposals submitted met the minimum criteria.

"In Step two, each proposal was evaluated on the basis of an assigned point system totaling 100.

"During this evaluation, the team spoke with the three proposers separately in order to clarify questions which had been raised by the review of the proposals.

Control Systems: Maximum Points 20

"Since each of the proposals included the use of a computer system, points were awarded on the basis of the existence of current automated systems, familiarity with data systems operation and length of time required for systems installation. A proposer who expanded an existing on-line system received a higher rating than one with little or no automated data processing experience or system.

Location and Hours: Maximum Points 25

"Points were awarded to each proposer whose hours of operation met the minimum performance criteria, and additional points awarded for convenience and accessibility of location to all clinic sites including south Austin. A single site making provisions for delivery to other sites was awarded more points than a single site making no such provisions, while a multi-site proposal was awarded more than either.

Program Costs: Maximum Points 25

"In the area of program costs, points were assigned on the basis of an inverse proportionate ratio to the lowest cost submitted. The lowest proposer was awarded maximum points, with the other two assigned points equal to the percentage reduction from the maximum number.

Security Systems: Maximum Points 10

"Proposed security systems were rated on the basis of adequacy of physical systems and the provision of insurance against loss. And finally,

Professional Qualifications: Maximum Points 20

"Points were awarded for the provision for professional certification of all professional personnel, and the proprietary experience of principals in each proposal.

"On the basis of this weighted system, Tarrytown Pharmacy received the highest rating of the three proposals.

"Beyond this quantitative evaluation, the three proposals were compared as follows:

1. Both the Tarrytown and Central Pharmacy proposals provided for a single location accessible to the Model Cities and Rosewood-Zaragosa Clinics, with Central Pharmacy making explicit provision for service to the South Austin Clinic, while the PSI proposal provided for 4 separate locations within the East Austin community.
2. All proposals made provisions for an automated control system for inventory, patient profile, third-party billing, and audit purposes. Tarrytown Pharmacy currently possesses data processing capabilities and experience while the others do not.

3. All proposals provide for certified, experienced professional staffing; and all principals have considerable proprietary experience. PSI and Central Pharmacy have extensive experience in the East Austin community, and Central Pharmacy has experience with the provision of services to clinic card holders.
4. In reference to dispensing fee rates, Tarrytown Pharmacy provides the largest volume discount, with PSI providing a lesser discount and Central Pharmacy no discount.

"In summary, Tarrytown Pharmacy offers substantially broader experience in the area of automated data processing, while PSI would provide more extensive locational convenience and Central Pharmacy more program experience. All being essentially equal in professional qualifications, the factor of relative cost became determinant.

"Given the quantitative weighting, the equality of professional capability and these cost factors, staff recommends Tarrytown Pharmacy from among the proposals submitted should the City Council choose to continue to provide pharmaceutical services on a contract basis."

Mayor McClellan said that she had a letter from the South Austin Citizens Advisory Board and wondered if under the contract pharmacy agreement, their concerns could be addressed. Ms. Edwards replied, "There is no problem after the bid has been awarded to negotiate with the pharmacy to write into the contract any of those provisions. I cannot speak for the pharmacists themselves, but we can certainly in the contract specify any of those particular provisions."

Motion

Mayor Pro Tem Cooke moved that the Council reject all bids and rebid it. The motion was seconded by Councilmember Goodman.

Friendly Amendment

Councilmember Goodman offered a friendly amendment that the Council see the RFP before it is sent out. The friendly amendment was accepted.

Mayor McClellan said she has concern about rejecting and rebidding because she realizes there have been a lot of concerns raised and this has turned into a "hot" issue. "I think," she said, "it is unfortunate when you are contracting for pharmaceutical services that it has become such a political issue."

City Attorney Harris stated, "Because of all of the legal implications that have been raised in the matter, and because of the complexity and the nature of the matter which I believe will continue to be raised, I request that particular motion, if it is going to be considered by Council, that the Law Department be given a fair opportunity to evaluate that course of action on behalf of the Council and to advise Council on any legal implications that we believe might be possible from that particular action. All I am asking is that the Law Department, before a vote is taken on that particular action, be given that opportunity to so advise the Council."

Mayor Pro Tem Cooke asked if Council has the option at any time to reject any set of bids. Mr. Harris told him, "You usually have that option, but if you have three contractors bidding on anything and you just rejected the bids and let it back out." Mayor Pro Tem Cooke expressed concern that this may be a legal matter that should not be discussed in public but rather, in an executive session.

There was some discussion of the above questions, and whether or not to postpone this issue until the afternoon or for a week.

Councilmember Mullen said that if this is postponed another week, he would like to "have staff complete another option that patterns our program after the State Vendor Program with reimbursement set at a rate that provides a reasonable cost to the City, and that the City continue to buy the drugs so we will get our large discount, that terminals will be placed in each one of the participating pharmacies, and that no more than whatever number we set..five or six..pharmacies would be able to compete the best with whatever criteria we come up with."

Councilmember Trevino said, "The limited vendor proposal has been discussed. If not in the Council, then outside the Council, so there has been ample information gathered. ...I believe sincerely that the integrity of this process has been compromising, and I cannot accept the recommendation."

Mayor McClellan stated, "I just want to go on record as saying I do not concur on the statement, Johnny, on the integrity of the process having been compromised." The Mayor also said that the procedure has been looked into and the City has received a clean bill of health. Mayor Pro Tem Cooke said he felt that way too, as it relates to any legality, but, "I am not sure we have a clean bill of health with regard to the process, even though I think that there has been an effort by everybody to make..."

Councilmember Snell stated: "I feel as though all we are doing really is to prevent PSI from getting this contract. They submitted a very good proposal...we have been encouraging minorities...to get involved in contracts and working with various issues, and here is one time we have a chance to really prove that we were sincere when we said these things. We did not really have to go through all this rigamarol that we have gone through and I think it is really embarrassing to me and to the City to have to do this, just because a group of fellows got together and came up with a very good and unique idea, and I think we should allow those guys to perform for the City, even if it is just a one-year term. If they don't succeed, then give it to someone else."

Mayor McClellan said she too feels strongly about minority rights and if their sole purpose had been to give this to a minority bidder, then that should have been specified. There was further discussion on the low bid and how it was arrived at. Ms. Edwards gave the following explanation:

"I know there was a question as to how we arrived at the 74,480 prescriptions that we said was an estimate for the medical assistance program this year. This estimate was derived in May of this year, 1977, and it was done for the purpose of budgeting for this year's '78-'79 budget. We used the census data figure that we have for Travis County and the economic income data

for Travis County. There were 63...I am going to round these figures out so it will be less complicated. There were 63,000 individuals in Travis County, who were eligible under the 1977 economic income guidelines that the Council approved. 95% of those individuals live within the City of Austin, and we took 95% of that 63,000 individuals in Travis County and came up with approximately 59,900 individuals who lived within the City limits of Austin who were eligible under the '77 economic guidelines.

"The user rate over the past four years for the outpatient clinics has been 30.9% and we took 30.9% of the 59,900 some odd individuals who were eligible, and came up with 18,523.9 individuals who would be possible users of the program.

"Our history has been 4.2 patient visits per individual for the past few years, whereas the national patient visit rate has been 4.9. Ours has been a little lower, so we took the 18,524 individuals who were users in the City of Austin and multiplied that by 4.2 visits per year, and came up with 77,800 patient visits for the year.

"Now we know that last year, both Brackenridge Hospital and the Health Department had reduced patient visits, and we took that into account, and our reduced patient visits was about 28%, so we multiplied 72% which is our usage visit for 77-78 by the 77,800 patient visits that we have and we came up with 56,000 patient visits estimated for this year. That 56,000 patient visits was multiplied by 1.33 prescriptions per patient visit, and the figure of 74,480 prescriptions was derived this way. And this was derived in May of this year for budget purposes.

"The basis for this particular formula came from Research and Budget, and from the other health consultants that we have worked with in the past, and it is the best estimate we feel of total population eligible against user-rate population, against the patient visits that we have, and the number of prescriptions generated per patient visit."

MULLEN: "Are these the figures you used whenever the bids were put out. That was derived before and not after the bids were.."

EDWARDS: "That's true."

MULLEN: "Everybody had this information?"

EDWARDS: "Which information? The 74,480? Yes. There has been some question also about the volume of prescriptions that we generate. We have a contract with Central Pharmacy, which generated in the past year about 31,600 some odd prescriptions. We also used Walgreen's Pharmacy in South Austin, and we used also...because we didn't have access to a pharmacy in south Austin, dispensing from the South Austin Clinic. And when we total all of these prescriptions up, plus the transfers from Brackenridge Hospital, and we have transferred about 11,000 patients from Brackenridge Hospital outpatients this year. We are right now paying for approximately 4,000 prescriptions per month. This is without the increase to a 40-hour clinic for South Austin, and that we think will go into effect approximately January 1, when we will go from 6 hours a night to

a 40-hour a week clinic. So we know that without the eligibility income guideline increase hitting us, and without South Austin Clinic being up to a 40-hour clinic, we are still generating approximately 4,000 prescriptions right now. Per month."

After more discussion, Mr. Harris left the Council Chamber to check on the legal aspects of Mayor Pro Tem Cooke's motion.

Mr. Newberry, owner of Tarrytown Pharmacy appeared before Council and said that Councilmember Mullen had brought up the point that everybody bid on the same date...if the prescription volume amount had been 50,000 prescriptions a year, everybody would have bid on that data. He said he did not think that's a relevant issue to throw out the bid.

MR. O. C. HOUSTON of P.S.I. appeared before Council and said that the past even weeks have been an educational experience for him. He continued... "What I am making reference to is certain allegations of favoritism. It has been shown that none of these involve any illegal improprieties. I would like to be the first to state that no laws were broken, and that makes me happy because I would certainly hate to see anybody criminally indicted over something like this."

Discussion followed between Mr. Houston, the Mayor and Ms. Edwards concerning the projected amount of prescriptions. After that discussion ensued as to whether or not one of the providers was allowed to make alterations in his contract and whether or not all providers had an equal opportunity to do so. Reference was also made to the District Attorney's investigation of the matter, and Mr. Harris stated that the matter had been cleared by that office.

More discussion followed concerning the number of prescriptions and Mr. Houston referred to a report he had given Council. (CLERK DID NOT RECEIVE A COPY.)

Mr. Houston brought up a point about personal contact when he thought that all contact after a certain point would be written. Discussion ensued on that point. (See Transcript on file in Clerk's office.)

MS. MARIE BRUFFY, a private citizen, presented her views on the bidding process. She did not believe the pharmacies in South Austin had been given an equal chance.

Mr. Solon Bennett stated that every pharmacy that expressed an interest in receiving a request for proposal was issued a request for proposal. Twelve pharmacies received them. Ms. Edwards stated that when they received none from South Austin, the staff went through the telephone book to find out names of South Austin pharmacies and sent letters to five of them asking if they wanted to bid. There was no response to the letters. More discussion on the bid process then followed.

MS. SCORRO LEOS, Chairman of the South Austin Citizens Advisory Board, stated to Council that it seems as though South Austin was totally ignored. She referred to a statement she had given Council and commented on it.

At this point, Mr. Harris re-entered the Council Chamber and stated, "It is our determination that if the Council, after hearing this matter, for reasons care to reject all bids and instruct a rebidding of this matter with their review as to the RFP as to the dissemination of opportunity to participate in the RFP process or to review the procedures for subsequent contacts after the RFP has been received, that the Council could so take that course of action.

Friendly Amendment - Not Accepted

Councilmember Snell offered a friendly amendment that the RFP's be reviewed by the Hospital Advisory Board. The amendment was not accepted.

Mr. Newberry again addressed Council to say that he is opposed to re-bidding because he has fired his best shot, and "everybody knows what it is, and I think it is unfair, and I think it is uncalled for. I think this matter has been thoroughly looked into, and there has not been any wrongdoing that has surfaced. I think the City staff kept good records of what they did....."

Roll Call on Question to Cut Off Debate - Failed
(needs 2/3 vote to pass)

Ayes: Councilmembers Snell, Trevino, Mayor Pro Tem Cooke,
Councilmember Goodman
Noes: Councilmember Mullen, Mayor McClellan, Councilmember
Himmelblau

Mr. Houston stated, "I would like to go on record as saying I don't think that resubmitting the bids would do any good. I would like to go ahead... we have shot our best shot, too. And if we resubmitted the bid, we would resubmit them to the Health Department and it probably would be 7 weeks again delayed."

Roll Call on Motion Re-stated - Failed

Mayor Pro Tem Cooke made a motion, seconded by Councilmember Goodman to reject the bids as currently submitted by the City staff and to review the RFP before it is submitted to the public.

Friendly Amendment - Not Accepted

Councilmember Goodman offered a friendly amendment that staff report back with a limited vendor program. Friendly amendment was not accepted.

3-4 vote - Failed

Ayes: Councilmember Trevino, Mayor Pro Tem Cooke, Councilmember
Goodman
Noes: Councilmembers Himmelblau, Mullen, Snell, Mayor McClellan

Motion - Failed

Councilmember Goodman moved that the Council reject all bids. The motion, seconded by Mayor Pro Tem Cooke, failed by the following vote:

Ayes: Councilmember Trevino, Mayor Pro Tem Cooke, Councilmember Goodman

Noes: Councilmember Snell, Mayor McClellan, Councilmembers Himmelblau, Mullen

Motion

Councilmember Himmelblau moved that the Council go with the low bidder. It was seconded by Mayor McClellan.

Substitute Motion - Passed

Councilmember Snell made a substitute motion to reconsider the previous motion to reject all bids. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Snell, Trevino

Noes: Councilmember Mullen

Roll Call on Previous Motion to Reject all Bids - Passed

Roll call on motion made by Councilmember Goodman, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Mayor Pro Tem Cooke, Councilmembers Goodman, Snell, Trevino

Noes: Councilmembers Himmelblau, Mullen, Mayor McClellan

Motion

Councilmember Goodman moved that the Council instruct the staff to develop alternatives for the Council including a limited vendor program, and any other variations that they may want to choose from one pharmacy to multiple and come back to Council when they are ready. The motion was seconded by Councilmember Snell.

Friendly Amendment - Accepted

Councilmember Mullen offered a friendly amendment that each pharmacy has a terminal where they can keep track of what happens, who comes in, etc. Councilmember Goodman accepted the friendly amendment.

Roll Call on Motion with Friendly Amendment - Passed

Ayes: Councilmembers Goodman, Mullen, Snell, Trevino, Mayor Pro Tem Cooke

Noes: Councilmember Himmelblau, Mayor McClellan

(TRANSCRIPT OF THE WHOLE PROCEEDINGS IS ON FILE IN CITY CLERK'S OFFICE.)

DAVENPORT RANCH M.U.D

Councilmember Goodman moved that the Council postpone a decision on granting consent of the City of Austin to the creation of the Davenport Ranch Municipal Utility District No. 1, and authorizing execution of District Creation Agreement. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

Public Hearing Set

Councilmember Goodman moved that the Council set a public hearing for January 18, 1979, at 7:00 p.m., to consider adoption of policy for Municipal Utility Districts, and annexation study. The motion was seconded by Councilmember Himmelblau.

MR. ROGER DUNCAN, of the Environmental Board, asked if this motion includes a proposal to allow the Environmental Board to review and comment on the M.U.D. study. Mayor McClellan assured him that it did.

MR. CORBY ROBERTSON, one of the developers of the Davenport Ranch, spoke next, saying that if the City Water and Treatment were the only alternative that was available to them, the City could basically defer them indefinitely. He said that they had been working with the City staff for over a year's period of time and are not trying to be unreasonable or asking for a fast decision on this, but they have had a specific proposal before Council for six months. He said that legally Council has to respond within a certain period of time. He said that they have tried not to trigger that legal response because they have wanted to keep the issue open. He said that they have been making a good faith effort to do something that will be of long benefit to the City. He made it clear to Council that his project would have to go an alternate route if the City does not come up with some substantial decision soon.

Mayor Pro Tem Cooke explained to Mr. Robertson that he did not consider the postponement to this matter indefinite and that every effort was being made to settle this to the best interest of everyone concerned.

Mayor McClellan said that she would ask staff the ramifications of private financing of that system, the pros, cons, etc., and hopes that they are able to do that prior to the time that Council has its work session on M.U.D. She added that by setting that public hearing on January 18, that something will have been worked out by then as to giving Mr. Robertson an answer. All members of the Council agreed that not enough information had been provided for them from staff and hoped that the scheduling of a January 18 public hearing would give everyone enough time to rectify that.

City Manager Dan Davidson spoke at this time reminding Mr. Robertson that he himself had warned Mr. Robertson that his was not an application that was an ordinary one for Council and that it may take considerable time especially since Mr. Robertson had not filed any of the necessary papers right away. He said that Council wants to accommodate his application and will do their best to expedite it so that there is no further delay.

Roll Call on Motion

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
 Noes: None

ZONING CASE EXTENDED

Councilmember Cooke moved that the Council approve the request of MR. MERWYN S. JOHNSON, Chairman, Planning and Zoning Committee, Pecan Springs Integrated Neighborhood Association, to extend for 120 days action on Zoning Case No. C14-78-064 (area study.) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
 Noes: None

VACANT LOTS

MR. ART BROWN, President, Northeast Austin Advisory Committee, who had requested to appear before Council to discuss the vacant lots in Northeast Austin did not appear.

ZONING HEARINGS

Mayor McClellan opened the zoning hearing scheduled for 10:00 a.m. on the following zoning case not recommended by the Planning Commission. Pursuant to published notice thereof the following zoning case was publicly heard:

A.E. RUTLEDGE	1208-1216 East Live	From "A" Residence
By Ruby G.	Oak	1st Height and Area
Meredity-Grigsby		To "O" Office
& Company		2nd Height and Area
C14-78-169		NOT Recommended by the Planning Commission

MR. PROCTER, an attorney for the applicant, appeared before Council and requested permission to withdraw the zoning case, which was postponed from the November 30, 1978, meeting.

Councilmember Goodman moved that the Council withdraw Zoning Case C14-78-169. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
 Noes: None

The Mayor announced that the zoning case had been WITHDRAWN.

Pursuant to published notice thereof, the following zoning case was publicly heard:

NPC REALTY COMPANY
By Robert L. Davis
C14-78-200

2701-2801 Deatonhill
2624 William Cannon
Drive
2620 Lazy Oaks Drive
7001 Deatonhill Drive
7000 Deatonhill Drive
2804 William Cannon
Drive

From Interim "A" Residence
"BB" Residence,
"O" Office and
"GR" General Retail
1st Height and Area
To "A" Residence (Tracts 1, 2,
3, 5, 6 and 7) and "B"
Residence (Tract 4)
RECOMMENDED by the Planning
Commission "A" on Tracts 1, 2,
3, 5, 6 and 7; "B" Residence
on Tract 4 as amended by
applicant subject to restrictive
covenant as agreed to by the
Neighborhood Associations and
applicant.

Mr. Lillie reviewed the application. MS. MARILYN SIMPSON, representing the Whispering Oaks Neighborhood Association, appeared to state that they are in agreement with the zoning request.

Councilmember Goodman moved that the Council grant "A" Residence, 1st Height and Area District on Tracts 1, 2, 3, 5, 6 and 7; and "B" Residence, 1st Height and Area District on Tract 4 as amended by applicant subject to conditions, as recommended by the Planning Commission. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke,
Councilmembers Goodman, Himmelblau, Mullen, Snell
Noes: None

The Mayor announced that the change had been granted to "A" Residence, 1st Height and Area District on Tracts 1, 2, 3, 5, 6 and 7; and "B" Residence, 1st Height and Area District on Tract 4 as amended by applicant subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

ZONING CASE DECISION

Council had before it the decision on Zoning Case No. C14-78-105, TOM W. BRADFIELD, DONALD H. CUMMINGS and ROBERT MUELLER, JR., by Bryant-Curington, Inc.

"Whatever we decide, and what zoning is given," said Councilmember Himmelblau, "I want to recommend that a certain amount of buffering of "A" or "AA" with a privacy fence between this tract of land and what is contiguous to City land...I would like to see 100 feet....I wouldn't consider anything under 50 feet, as far as a buffer, with a 6-foot privacy fence, and this doesn't mean a hedge or a wire fence, it means a strict privacy fence."

Motion - Died for Lack of Second

Mayor Pro Tem Cooke moved that the Council zone Tract 4 "O" Office with 50 feet of buffering, and on the other tracts accept the recommendation of the Planning Commission. There was no second.

Friendly Amendment

Councilmember Himmelblau offered a friendly amendment to limit the density to 15 units per acre. Mayor Pro Tem Cooke accepted the friendly amendment.

Councilmember Himmelblau stated that she did not want to zone Tract 9 at this time because there is no access to it.

Motion

Councilmember Goodman moved that the Council zone all the tracts "O" Office, with the exception of Tract 9 (which is the designated "BB" tract); action on that to be postponed for 60 days; there shall be 100 feet of "A" Residence buffer on Tract 4, with a 6-foot privacy fence; and density shall be restricted to 15 units per acre, with a Special Permit. Councilmember Himmelblau seconded the motion.

Councilmember Mullen asked if the purpose of the buffer is for visual or drainage. Councilmember Goodman told him it was for both. Councilmember Mullen said, "I would like to keep all the drainage out of Barton Creek, and there was an alternative to do that by putting a system where it would drain into Dry Creek.

There were comments made by Councilmembers Mullen, Goodman, and Himmelblau, and Mr. Lillie, Director of Planning, regarding the drainage.

Friendly Amendment

Councilmember Mullen offered a friendly amendment, accepted by Councilmember Goodman, that anything remaining in "O" Office on Tract 4 would drain to Dry Creek.

Councilmember Goodman pointed out that he would like a report from Urban Transportation on Tract 9 on "what we might expect on access to this area so that we will be able to make a decision on that at the appropriate time."

Councilmember Mullen asked if the "A" buffer will be developed or undeveloped. Councilmember Himmelblau said, "undeveloped buffer."

Roll Call on Motion with Friendly Amendment

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan

Noes: Mayor Pro Tem Cooke

The Mayor announced that the change had been granted to "O" Office on all tracts, except Tract 9, subject to conditions, and the City Attorney was instructed to draw the necessary ordinance to cover.

At the time of roll call, Mayor Pro Tem Cooke said, "I like every aspect of the motion except the buffering. I vote no, 50 versus 100."

THIRD READING OF ZONING ORDINANCE

Mayor McClellan brought up the following ordinance for its third reading:

AN ORDINANCE ORDERING A CHANGE IN USE AND HEIGHT AND AREA AND CHANGING THE USE AND HEIGHT AND AREA MAPS ACCOMPANYING CHAPTER 45 OF THE AUSTIN CITY CODE OF 1967 AS FOLLOWS:

TRACT 1: A 13.084 ACRE TRACT OF LAND, FROM "A" LAKE DISTRICT, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; AND,

TRACT 2: A 0.896 ACRE TRACT OF LAND, FROM "D" INDUSTRIAL, SECOND HEIGHT AND AREA DISTRICT TO "C" COMMERCIAL, SECOND HEIGHT AND AREA DISTRICT; ALL OF SAID PROPERTY BEING LOCALLY KNOWN AS COLORADO RIVER AND MILLER STREET; SAID PROPERTY BEING LOCATED IN AUSTIN, TRAVIS COUNTY, TEXAS; AND PROVIDING AN EFFECTIVE DATE. (C14-78-189)

The ordinance was read the third time, and Councilmember Goodman moved that it be finally passed. The motion, seconded by Councilmember Himmelblau, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell,
Trevino, Mayor McClellan, Mayor Pro Tem Cooke

Noes: None

The Mayor announced that the ordinance had been finally passed.

COUNCIL RECESSED, EXECUTIVE SESSION ANNOUNCED

The Council recessed its regular meeting at 12:20 P.M.

Mayor McClellan announced that the Council would immediately convene in a closed or executive session authorized by Section 2, Paragraphs (e), (f) and (g) of Article 6252-17, Texas Revised Civil Statutes Annotated; and after such closed or executive session any final action, decision or vote with regard to any matter considered in the closed or executive session will be made in open session, should such action, decision or vote be necessary.

Council resumed its meeting at 2:40 p.m.

BOARDS AND COMMISSIONS

Mayor McClellan announced that the Council had been meeting in Executive Session and the following action was necessary:

Electrical Board

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 37, ARTICLE II, SEC. 37-7 OF THE AUSTIN CITY CODE; PROVIDING THAT THE ELECTRICAL BOARD SHALL CONSIST OF SEVEN MEMBERS WHO SHALL HAVE CERTAIN QUALIFICATIONS; PROVIDING THAT THE ENFORCEMENT OFFICIAL SHALL BE THE CHAIRMAN OF THE ELECTRICAL BOARD; PROVIDING THAT MEMBERS OF THE ELECTRICAL BOARD SHALL SERVE WITHOUT PAY; PROVIDING THAT THE TERMS OF THE CURRENT MEMBERS OF THE ELECTRICAL BOARD SHALL EXPIRE AND TERMINATE; PROVIDING FOR TWO YEAR STAGGERED TERMS; SUSPENDING THE RULE REQUIRING THE READING OF ORDINANCES ON THREE SEPARATE DAYS; AND PROVIDING AN EFFECTIVE DATE.

Mayor Pro Tem Cooke moved that the Council waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

The Mayor announced that the ordinance had been finally passed.

Council approved the following appointments to the Electrical Board:

Vernon Fowler - Active Master Electrician
M. B. Denton - Active Master Electrician
H. W. Zuch - Electrical Engineer
Max Ladusch - Journeyman Electrician Active in Activity Related to
the Electrical Industry
Walter Timberlake - Property Owner
Joe Morales - Property Owner

Appointments to be Made

According to Mayor McClellan, the following Board and Commission appointments will be made on December 14, 1978:

Building Standards Commission - 3
Vending Commission - 1
Community Development Commission - 1
MH/MH - 1
Wrecker Standards Commission - 1
Medical Assistance Advisory Committee - 2
Construction Advisory Committee - 4
Electrical Board - 6
Human Relations Commission - 7
Commission on the Status of Women - 1

Appointments to be made January 4, 1979 are:

Board of Adjustment - 3
Energy Conservation Commission - 1
Heating, Air-Conditioning and Refrigeration Appeals Board - 2
Library Commission - 7
Citizen's Traffic Safety Commission - 5
Urban Transportation Commission - 5
Manpower Advisory Planning Council - 1

PUBLIC HEARING ON COMMERCIAL DOG KENNELS

Mayor McClellan opened the public hearing scheduled for 10:00 a.m. to consider amending the Zoning Ordinance regarding commercial dog kennels. Mr. Albert De La Rosa, Assistant City Attorney, informed Council that the Planning Commission had held a public hearing on commercial dog kennels and it is their recommendation to Council that the amendment to the zoning ordinance be passed. No one appeared to speak to the issue.

Mayor McClellan introduced the following ordinance:

AN ORDINANCE AMENDING CHAPTER 45 OF THE 1967 CODE OF THE CITY OF AUSTIN, PROVIDING A DEFINITION OF "COMMERCIAL DOG KENNEL" TO SECTION 45-1; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Himmelblau moved that the Council close the public hearing, waive the requirement for three readings, declare an emergency and finally pass the ordinance. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor
Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

The Mayor announced that the ordinance had been finally passed.

TAX APPEAL

Mayor McClellan opened the hearing on the tax appeal, scheduled for 10:30 a.m., by MR. ROANE PUETT on Parcel No. 9-4-0727-0212. Mr. Puett passed out a map of his property to Council. (Clerk did not receive a copy.) He said that in his opinion the evaluation of his property is inconsistent with that of property around him. His property of 50 acres is assessed at \$3,375 an acre, while the property just west of his is \$1800 an acre. He felt that the only reason for the difference was that the property must be assessed according to the size of the tract. He said that the section of property that fronted on Highway 290 has been sold. Mr. Puett also said that his property is outside of the City limits, with no sewer available and pointed out that he is being assessed for improvements which have never been made. He requested Council to assess his property in line with assessments of surrounding property.

Mr. Jack Klitgaard, Tax Assessor-Collector, appeared before Council and stated that property in the area ranging in price from \$1400 to \$1800 tax assessment, has no market value, while Mr. Puett's property is being sold as a subdivision for \$1.00 a foot, with some acres selling as high as \$13,000. He said that Mr. Puett had called to his attention the fact that he was being assessed for improvements. Mr. Klitgaard explained that the Tax Department had erred as there are no improvements and this is being corrected.

Motion - Died for Lack of Second

Councilmember Goodman made a motion to uphold the Tax board. There was no second.

Motion

Mayor Pro Tem Cooke made a motion to assess \$2500 an acre on this property. Councilmember Himmelblau seconded the motion.

Substitute Motion

Councilmember Mullen made a substitute motion that the Council assess \$3,000 an acre on Parcel No. 9-4-0727-0212. Councilmember Goodman seconded the motion.

Second to Motion Withdrawn

Councilmember Himmelblau withdrew her second to the motion.

Roll Call on Substitute Motion

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Mayor
McClellan

Noes: Mayor Pro Tem Cooke, Councilmember Trevino

CETA TITLE VI PUBLIC SERVICE PROJECTS

Council had before it for consideration a resolution to authorize funding of 18 CETA Title VI Public Service Projects at a cost not to exceed \$1,135,146. Mayor McClellan read the CETA recommendations and said that the Manpower staff knows which positions in each agency will be filled by the proposal. Along with this, she said they should give staff the authority to negotiate with the sub-contractors to assure compliance with CETA regulations where necessary.

Motion

Councilmember Goodman moved that the Council adopt a resolution to fund eighteen CETA Title VI Public Service Projects at a cost not to exceed \$1,135,146, as follows:

Middle Earth - 4
Center for Battered Women - 5
Austin Rehabilitation Center - 2
Austin Travis County MHMR - 1
Austin Women's Center - 2
A Step Forward, Inc. - 1
City of Austin -- PARD - 1
Community Bound - 2
Austin Housing Authority - 17
Open Door Pre-School - 3
Clarksville Community Development Corporation - 1
Mary Lee Foundation - 9
Escuela Montessori de Montopolis - 2
Capital Area Rehabilitation Center - 3
Capital Area Rural Transportation - 4
Austin Public Library - 4
Austin Travis County MHMR - 9
Goodwill Industries - 3
City of Austin -- PARD - 1
Clarksville Community Development Corporation - 1
Center for Maximum Potential Building Systems - 2
Texas Association of Museums - 1
LUCHA - 3
Texas Commission on Arts and Humanities - 2
Boys Club - 4
Austin Community TV - 4
Austin Community Gardens - 2
Texas Association of Children with Learning Disabilities - 1
Afro-American Players - 2
Ecology Action of Austin - 1
Austin Public Library - 2
Texas Department of Human Resources - 1
Texas Society for Autistic Citizens - 2
Austin Tenants Council - 2
Austin Association for Retarded Citizens - 1
Texas Council Crime and Delinquency - 2
Austin Natural Science Association - 3
Women and their Work - 2
Spectrum - 3
City of Austin Finance Department - 2
City of Austin Finance - 1
Austin Travis Alcohol Counseling - 2
Center for Cultural Resources - 12
National Association of Social Workers - 1
and

1. The staff will have the authority to negotiate with the sub-contractors to assure compliance with CETA regulations where necessary;
2. In regards to the contracts with Boys Club of Austin and Afro-American Players, both groups must agree to cooperate with the Manpower staff in resolving current funding questions, and to use their own funds (subcontractor's funds) to resolve these problems if necessary;
3. In choosing some projects from Group C, the Council considered demonstrated competence and qualifications and the uniqueness of the service to be provided.

The motion was seconded by Councilmember Mullen.

(Due to the length of this motion, actions concerning it are taken out of sequence in the meeting in order to make action condensed. After some of the members of the audience chamber spoke, Councilmember Himmelblau offered a friendly amendment. Roll call was taken at the end of discussion.)

Friendly Amendment

Councilmember Himmelblau offered a friendly amendment that Zachary Scott Theater and Laguna Gloria be given priority consideration for funding in January. Councilmember Goodman accepted the friendly amendment.

Roll Call on Motion with Friendly Amendment

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

Mayor Pro Tem Cooke commented that he wanted to remind all of the organizations that these CETA positions are project orientated positions, so they should anticipate that funds could be discontinued in about a year.

MARK BLUMENTHAL, President, Herb Trade Association, appeared before Council and said they had submitted a grant application. He said they had passed the evaluation and asked for clarification on how the funding operates and if there is any way they can submit for revision or clarification. Councilmember Goodman told him that there will be more money for funding in three months.

MS. JACKIE WILLIAMS, ESL Title III said the reason they are projecting three months as the time if possible of additional funding is that is the time when money obligated for projects currently being funded will be available either through late start-ups, or as they negotiate with some of the agencies, they may find they cannot go forth with the project as recommended. There is the possibility she said, that in the spring when Congress meets, CETA funding for public service positions may be cut even more severely. Mayor Pro Tem Cooke commented that it is not going to get better, it is going to get worse. Council-

member Goodman stated that if funds are available, he will do what he can to support Mr. Blumenthal's application. Ms. Williams said he would not have to submit another application.

MR. WOODROW SLEDGE appeared to commend staff and Council for successfully adapting to a 50% cut. He said that the best thing Council can do for him and all of the millions and millions of people like him who are retired with a leveled out income, is to cooperate in any way to cut Federal spending and deficit so the percentage of cut out of private finances every year is stopped.

MS. JOY SCHELLFER, representing the Capital Area Rehabilitation Center, appeared to thank Councilmembers and Manpower for granting them 3 slots.

MR. JAY CHARLIE MCKINNEY, President of Spectrum, Focus on Deaf Artists, appeared before Council to express his thanks for the help the City of Austin has given his organization. He then showed slides of their activities.

Mayor McClellan commented that they are an important part of the Arts of this community.

MR. TERRY MCFARLAND, Executive Director of Goodwill Industries, appeared and thanked the Council and said they could not have done what they do without the CETA projects. He asked if, in the future, they can have the final criteria given to them so they know how to submit their application. Councilmember Mullen said the main concern of the funding is to prepare people to go into the job world. Mr. McFarland said that is the main purpose of their organization.

MR. BILL TRYON, President, Goodwill Industries, told Council that on a national scale, Goodwill is the largest rehabilitator of people and that they need all the help they can get in order to open the door further.

MS. CHRISTINE EVERETT, Center for Cultural Resources, thanked the Council for their support.

MR. BERNARDINO VERASTIQUE, a visiting poet at the University of Texas and acting director for LUCHA, appeared to say that he had been frustrated in trying to decipher the kind of proposal to write. He said that he was also confused by the evaluation process and that it is difficult for the individual to design a final project that is consistent.

Ms. Jackie Williams spoke to the evaluation process. "I'm sorry and I apologize to those members of the audience who thought we used a different system in evaluating your proposals. I wanted to go on record as saying we used the evaluation system that was identified in your request for proposal package. However, since our funding was cut significantly, and even in using that system in rating the proposals that met the minimum criteria, we realized there still was not enough money available to fund all of them. So we, therefore, elaborated on one of the points of the evaluation criteria which was public service need and used the study that had been prepared by the Austin-Travis County Community Council in only making a recommendation to you so that you would have something to begin with in looking at those projects that would be funded. We informed the agencies that they did have the option to be considered because they did meet the minimum requirements. There should not have been any confusion as to

whether or not they met the minimum requirements. This was only our recommendation to you. We thought that the majority of the proposals we received were very good proposals, but unfortunately we could not fund them all."

Mayor Pro Tem Cooke said, "It was a complex process and there was equally and maybe even a little more of a slant from public service need to the need of the individual as far as being structurally unemployed and trying to provide them with some skills through the particular proposals that were on the table, and hopefully get them into the job market. That was the emphasis placed on it once it got to the Council level. That's why you have some change from the initial recommendations of MAPC subcommittee and the staff as to what is in the motion today."

MS. DARIA FISKE, Center for Maximum Potential Building Systems, said she felt lucky to get two positions from the seven they asked for. She said that she is concerned with the number of small grants being given to a bulk of people applying and very large grants being given to a few. Councilmember Goodman said, "No matter what we do today, it is probably a no-win situation from our perspective because there are just inevitably going to be some groups left out. There are going to be other groups who feel they did not get enough positions, and very few are going to feel they got too many." Ms. Fiske asked why the Austin Housing Authority needs twice as many people as anybody else. Mayor Pro Tem Cooke said the only thing he would offer is that "it is the feeling that those 17 positions of the initial request of the 47 they requested, and what their project recommendation was, will provide those 17 individuals with meaningful skills to enable them to seek employment where it is needed in this community." Mayor McClellan commented that it is a big organization and they have relied on CETA positions in the past. Each of the organizations, she said, have merits.

MS. MARTHA ARBUCKLE, representing MIGHT, told Council that there is a real need for an information and referral service for the physically handicapped and urged their consideration of Proposal 57. Mayor McClellan told her that Council appreciates her appearance in the Chamber and her work with MIGHT.

PROPOSED USE FOR WALTER E. LONG METROPOLITAN PARK

Council had before it for consideration a request from the Austin Radio Control Association for proposed use of Walter E. Long Metropolitan Park; and also a request from the Capital City Trap and Skeet Club for a proposed use of the park.

Councilmember Snell said that there have been many requests to use Walter E. Long Park. "Some have been granted and some not. When we first obtained the property, we had to make a map of where we were going to put various sports and entertainment. Since the time that this map was drawn a lot of things have been changed. What I'd like to request, and I don't like to keep prolonging because I do know there is nothing wrong with these projects that have been requested. However, as I looked on this map I saw that the areas they want to use are not the areas designated from the very beginning." He pointed to the map and said that originally these things had been designated for a particular area, and then indicated the area where they are now being requested to be. Councilmember Himmelblau said that Mr. Ehrler, Director of Parks and

Recreation, has walked the park area and in his professional opinion the activities would be better located up in the other section. Councilmember Snell said that the map should be redrawn. Councilmember Goodman asked how the proposed sites would look in a revised master plan.

Mr. Ehrler told Council that the Parks and Recreation Board reviewed the master plan, well aware of the problems with the original site for a skeet or pistol range and it is just not applicable. They reviewed that plan at the same time they approved the applications. He said the plan should be reviewed from time to time, as master plans are mainly conceptual. He said that the radio control plane range and trap and skeep range should not be placed in the original site indicated because of the safety factor. Plus, he said that is the only area that has such a variety of natural habitat and should be kept intact in order to utilize for natural science activities. Councilmember Snell said that the area now suggested is not accepted by the citizens. Councilmember asked how close the nearest subdivision is to the proposed site. Mr. Ehrler answered, one and one-tenth miles.

Motion - Died for Lack of Second

Councilmember Snell made a motion to postpone a decision on the two proposals until the map of Walter E. Long Metropolitan Park is updated. There was no second.

Motion

Councilmember Goodman moved that the Council adopt resolutions for approval of the proposal from the Austin Radio Control Association and the Capital City Trap and Skeet Club; and ask the Park Board to update the overall master plan for Lake Long area, fitting the radio control range and the trap and skeet range into the map; and come back to Council; citizens will see the proposed master plan. The motion was seconded by Mayor Pro Tem Cooke.

Mr. Ehrler announced that, if Council would like, he will arrange a public hearing at Park and Recreation Board Advisory Board meeting. The Mayor said that would be fine and asked him to issue invitations to all those persons and groups involved. She also requested the meeting be held in the evening.

Mr. Flink appeared before Council and said that "the contract proposed by these two groups now is different from the contract we heard at the public hearing. Where do we stand?"

Mr. De La Rosa, Assistant City Attorney, stated, "After the questions had been raised on the HUD application and the question of the Charter revision as to the lease and we drafted the provisions to insure that the Charter provisions were followed. Also, that HUD concerns were met. The HUD concern was expressly that Council retain control over the facilities. So those agreements were redrafted because there were some items the Council had expressed concern over. We have redrafted those simply with those two points in mind; that the clubs not have exclusive use of these premises. This was stimulated by the public hearing."

MR. ELMER NYGREN appeared and said Council is being asked to adopt two agreements before Council has adopted the master plan of the area. He asked if the development will be done by the City of Austin, or by private people. Will the City do what they said they would do at the taking, he asked, or will they now go an entirely different route. He said he renews his objection to these two agreements, and specifically cited the limited use of land to the public and fees charged.

Mr. Clay Strange, Assistant City Attorney, said that both of the agreements have been redrafted to have the fee set for non-member use of the facilities to be approved by the Director of Parks and Recreation. He said they could be drafted to have the fees set by the Director of Parks and Recreation and then approved by the Council.

Roll Call on Motion

Roll call on Councilmember Goodman's motion, Mayor Pro Tem Cooke's second to adopt a resolution for approval of the proposal from the Austin Radio Control Association, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: Councilmember Snell

Roll call on Councilmember Goodman's motion, Mayor Pro Tem Cooke's second to adopt a resolution for approval of the proposal from the Capital City Trap and Skeet Club, carried by the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: Councilmember Snell

Roll call on Councilmember Goodman's motion, Mayor Pro Tem Cooke's second to ask the Park Board to update the overall master plan for the Lake Long area, fitting the radio control range and the trap and skeet range into the map; and come back to Council; citizens will see the proposed master plan, showed the following vote:

Ayes: Councilmembers Mullen, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: Councilmember Snell

At the time of roll call the following statements were made:

Councilmember Snell: "I think if the Council grants these two without getting the revised map, it will be absolutely wrong. I think it would be opening the doors for many other organizations to do the same thing, and I know the citizens are really getting disgusted and displeased with this type of attitude. If I had to bring something before the Council with the method and way you received it, I never would have brought it before this Council. I want to thank those two gentlemen for appearing here and making their presentation. I vote no."

WHEREAS, there are currently thirty-two privately-owned wastewater treatment plants operating within the City's jurisdiction, and there are applications for plant expansions and new plants pending before the Texas Department of Water Resources; and,

WHEREAS, most of these plants discharge treated effluents into waterways within the City's jurisdiction,

THEREFORE, BE IT RESOLVED that the Austin City Council:

1. Recommend to the Texas Department of Water Resources that no direct discharges be permitted into Lake Austin or its tributaries because this is the principal source of the City's drinking water supply;
2. Recommend to the Texas Department of Water Resources that there be no discharges permitted into Barton Creek because of its high recreational, ecological, and aesthetic value, and the high recreational and economic value of Barton Springs;
3. Direct the City Manager to appoint a committee of persons from the Office of Environmental Resource Management, Water and Wastewater Department, Planning Department, and the Austin-Travis County Health Department to review each application for privately-owned wastewater treatment plants, including plant expansions, within the City's jurisdiction, and that such review include, but not be limited to, effluent quality, method of disposal and operation;
4. Recommend to the Texas Department of Water Resources that no discharge be permitted to any streams crossing the Edwards Formation unless the discharge is of a quality satisfactory for recharge to an aquifer used for drinking water purposes;
5. Encourage irrigation when possible, and require adequate land be dedicated for that purpose;
6. Seek to avoid when possible, circumstances under which streams become effluent dominated and when not possible, recommend a very high level of treatment with nutrient removal;
7. Direct the City Manager that all plants within the City's jurisdiction shall be monitored by the Austin-Travis County Health Department and the Water and Wastewater Department, also, samples shall be collected and analyzed according to a predetermined schedule established by the joint committee reviewing permit applications;
8. Direct the City Manager that the Office of Environmental Resource Management shall periodically receive and review self-reporting data from the Texas Department of Water Resources;
9. Direct the City Manager to report any violations, problems, or foreseeable problems to the Texas Department of Water Resources;

Councilmember Goodman: "I'd like to say I think Mr. Snell has raised some valid questions and I hope the Park Board responds promptly with a revised Master Plan. That's the way it should have been done from the outset, update the master plan in conjunction with these two activities that now are going to be established at Lake Long."

Mayor McClellan stated, "I would like the record to reflect that the Park Board did, of course, study and send recommendations on these two requests that are before us today."

MR. CHARLES NEUNSWANDER of the Austin Radio Control Association and DARREL CAPPERELLI of the Capital Area Trap and Skeet Club appeared before Council to state their appreciation for the decision.

NATURAL RESOURCES AND ENVIRONMENTAL QUALITY REPORT

Council heard from the Citizen's Board of Natural Resources and Environmental Quality on:

1. Policy on Wastewater Package Treatment Plant
2. Barton Creek Interim Controls

MR. ROGER DUNCAN presented the following report: "The Environmental Board has two reports, the first has to do with a recommendation on privately owned wastewater treatment plants. As part of the City Council's Goals and Objectives, you adopted #1 which is to protect Austin's environment from degradation and improve the quality of the total environment for the citizens of Austin. This refers to ordinances to be reviewed and/or revised, including a package treatment plant ordinance. Actually, there is not a specific package treatment plant ordinance on the books. The Board, however, is very concerned about the operation of existing plants as well as new plants being brought on line and to that end we have submitted to you a resolution that we would recommend concerning package treatment plants. The Planning Commission has also prepared a policy for the review of package plant subdivisions and we would recommend you would consider sending both of these to the staff to consolidate and then hold a public hearing on the matter and approving a resolution and putting something officially on the books regarding package treatment plant policy."

Mr. Duncan then reviewed the Environmental Board's resolution, which is as follows:

"WHEREAS, clean creeks and waterways are one of Austin's most treasured resources of high economic, recreational and ecological value which can be lost; and,

WHEREAS, it is in the best interest of the City of Austin to take part in the control of wastewater treatment facilities within the Extra-territorial Jurisdiction in such a manner as to conserve these resources; and,

10. Direct the City Manager that full cost recovery shall be obtained if the City operates any privately-owned wastewater treatment plants; and,

11. Amend the Subdivision Ordinance to assign to a department (or review committee) the responsibility of reviewing plant operations and capacity before preliminary approval is given to a subdivision, and this amendment shall give the Planning Commission authority to deny final plat approval if there exist conditions which are or could create pollution or public health nuisances."

Motion

Councilmember Mullen moved that the Council have staff combine the resolutions of the Environmental Board and Planning Commission to bring back to Council; Council will then set a date for a public hearing on the proposed resolution. The motion, seconded by Mayor Pro Tem Cooke, carried by the following vote:

Ayes: Councilmembers Snell, Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau, Mullen
Noes: None

Mr. Duncan continued that "the Board passed the following motion at its meeting on November 8, 1978:

'The Citizen's Board of Natural Resources and Environmental Quality asks that the Austin City Council adopt the Lake Austin Interim Controls for the Barton Creek watershed until specific controls can be developed based on the Barton Creek watershed study.'

There are numerous proposals for development in the Barton Creek area. You dealt with one today, the Bradfield tract, which was not required to comply with the Lake Austin Interim Control standards. ... We feel Council should take some action before they are faced with a large number of developments in the Barton Creek area and have not even interim standards to ask the developers to comply with. We request Council hold a public hearing on applying the Lake Austin Interim Controls to the Barton Creek Watershed."

Mayor Pro Tem Cooke and Mr. Duncan discussed several ways that the controls could be handled. Mr. Duncan said the study would be finished in May or June.

Motion

Mayor Pro Tem Cooke moved that the Council hold a public hearing on January 11, 1979 at 10:00 a.m. on the Barton Creek Interim Controls. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Councilmember Trevino, Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers Himmelblau, Mullen, Snell
Noes: None
Not in Council Chamber when roll was called: Councilmember Goodman

CHAPTER 4 OF COMPREHENSIVE PLAN

Mayor Pro Tem Cooke moved that the Council postpone consideration of the "Growth Management Process" Chapter 4 of Comprehensive Plan until January 11, 1979. The motion, seconded by Councilmember Trevino, carried by the following vote:

Ayes: Mayor McClellan, Mayor Pro Tem Cooke, Councilmembers
Goodman, Himmelblau, Mullen, Snell, Trevino
Noes: None

NORTHWEST TRAVIS COUNTY MUD NO. 1

Council had before it for consideration a resolution to consider granting consent to the City of Austin to the creation of the Northwest Travis County Municipal Utility District No. 1 and authorizing execution of a District Creation Agreement. After some discussion, Council agreed it still had some questions to be answered and wanted to postpone their decision for one week.

Motion

Councilmember Goodman moved that the Council postpone until December 14, 1978, at 9:30 a.m., a decision on the creation of the Northwest Travis County Municipal Utility District No. 1 and the authorization of a District Creation Agreement. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Goodman, Himmelblau, Mullen, Snell, Trevino,
Mayor McClellan, Mayor Pro Tem Cooke
Noes: None

SCHOOL FLASHER SYSTEM

Councilmember Himmelblau moved that the Council adopt a resolution to authorize an agreement with the State Department of Highways and Public Transportation for the operation and maintenance of the school flasher system and flashing beacon at Panther Lane and South Lamar Boulevard. The motion, seconded by Councilmember Snell, carried by the following vote:

Ayes: Councilmembers Himmelblau, Mullen, Snell, Trevino, Mayor
McClellan, Mayor Pro Tem Cooke, Councilmember Goodman
Noes: None

Mayor McClellan said she had many inquiries from people wondering where the school zone ends after they have entered the area indicated with the flashing system. Mr. Joe Ternus, Director, Urban Transportation, told her that they are in the process of painting white lines at the end of the zone area and will also put up signs indicating where the zone ends.

CAPITAL CITY YOUTH BASKETBALL PROGRAM

Mayor Pro Tem Cooke moved that the Council approve the proposed solution - Capital City Youth Basketball Program. (Clerk did not receive a copy) The motion, seconded by Councilmember Goodman, carried by the following vote:

Ayes: Councilmembers Mullen, Snell, Trevino, Mayor McClellan,
Mayor Pro Tem Cooke, Councilmembers Goodman, Himmelblau
Noes: None

CAPITAL CABLE COMPANY CONTRACT QUESTIONS

Mr. Jerry Harris, City Attorney, presented the City Manager's report on Resolution of Capital Cable Company Contract Questions. (Copy is on file in the City Clerk's Office.) Councilmember Snell asked if the report answers any questions about people who do not receive cable. Mr. Harris said it does not, but is just concerned with the agreement with the City. He went on to say that when the renewal of the contract comes up, then the problems can be reviewed.

ADJOURNMENT

Council adjourned its meeting at 5:05 p.m.

APPROVED



Mayor

ATTEST:



City Clerk